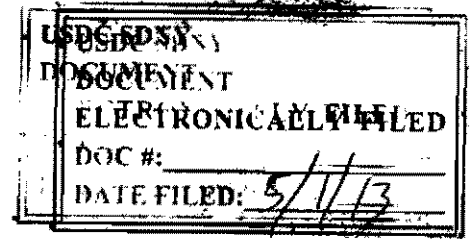


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE WORLD TRADE CENTER DISASTER
LITIGATION

**ORDER TO SHOW CAUSE WHY
CASES SHOULD NOT BE
DISMISSED AND/OR CLOSED**

21 MC 100 (AKH)

THIS ORDER PERTAINS TO ALL
PLAINTIFFS AND DOCKET
NUMBERS SET FORTH IN
APPENDIX A

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ALVIN K. HELLERSTEIN, U.S.D.J.:

The cases identified in the attached Appendix A are among the last remaining actions in the 21 MC 100 mass litigation. Plaintiffs' actions were filed or removed to this Court between November 2002 and September 2010. The most recent activity in any of the cases listed was in December 2011. Some of the cases listed are open, and some are closed as to many or most Defendants but remain open as to certain Defendants. To the extent that prior docket numbers, not included in Appendix A, were assigned to any of the Plaintiffs listed therein, this Order to Show Cause is intended to cover any and all docket numbers ever linked to the named-Plaintiffs' actions.

A district court may dismiss an action sua sponte for failure to prosecute. LeSane v. Hall's Sec. Analyst Inc., 239 F.3d 206, 209 (2d Cir. 2001); see Fed. R. Civ. P. 41(b). Although dismissal is "a harsh remedy to be utilized only in extreme situations," United States ex rel. Drake v. Norden Sys., Inc., 375 F.3d 248, 254 (2d Cir. 2004) (quoting Minnette v. Time Warner, 997 F.2d 1023, 1027 (2d Cir. 1993)) (internal quotation marks omitted), "the authority to invoke it for failure to prosecute is vital to the efficient administration of judicial affairs and provides meaningful access for other prospective litigants to overcrowded courts." Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982).

In light of the absence of recent activity, it is hereby ordered that Plaintiffs in the cases identified in Appendix A shall show cause by June 1, 2013, why their cases against all remaining Defendants should not be dismissed for failure to prosecute or because the cases have been settled. If Plaintiffs do not show good cause by June 1, 2013, the affected cases shall be dismissed, and the files closed as to all remaining Defendants in the docket numbers listed and any and all related docket numbers.

SO ORDERED.

Dated: April ~~30~~ 30, 2013
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge

Appendix A

Docket Number	Plaintiffs (Last, First)
07 Civ. 7393	Amato, Jeffrey
05 Civ. 311	Arcese, Patrick
08 Civ. 3494	Cevallos, Ernesto
05 Civ. 2651	Chambers, Michael
08 Civ. 1991	Cotroneo, Joseph
04 Civ. 9245	Doherty, Thomas
08 Civ. 6725	Eduardo, Joseph
05 Civ. 212	Esposito, Robert
06 Civ. 12063	Fitzpatrick, Kevin
04 Civ. 4984	Ford, Lawrence
08 Civ. 1884	Gajewski, Mark
05 Civ. 211	Galanek, Edward
05 Civ. 6773	Gleason, Todd
04 Civ. 5175	Goffredo, Frank
10 Civ. 554	Golba, Fred
03 Civ. 3040	Hartey, Teresa
09 Civ. 3187	Isabella, Salvatore
06 Civ. 7314	Luffman, Christopher
10 Civ. 6843	Madden, Clive
06 Civ. 7473	Marino, Frank
02 Civ. 9127	McGillick, Jon J.
07 Civ. 4384	McGowan, Eugene J.
05 Civ. 210	Melendez, James
05 Civ. 7168	Murphy, Robert
10 Civ. 1110	Pearce, Albert
07 Civ. 5652	Pellechia, Robert
10 Civ. 553	Peluso, John
05 Civ. 224	Provisero, Samuel
05 Civ. 4112	Quevedo, John
05 Civ. 1440	Rivera, Hector
10 Civ. 6806	Stewart, Kevin
08 Civ. 7101	Zane, Robert